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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,474	05/02/2001	Guangming Shi	990517	6899

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QUALCOMM INCORPORATED		
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EXAMINER	
DAO, MINH D	

ART UNIT	PAPER NUMBER
2618	

NOTIFICATION DATE	DELIVERY MODE
08/27/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

09/847,474

Applicant(s)

SHI ET AL.

Examiner

MINH D. DAO

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9-13,15-19 and 21-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9-13,15-19,21-25,27,28,30,31,33-39,41-46 and 48 is/are rejected.
- 7) ☒ Claim(s) 26,29,32,40,47 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 06/06/2007 have been fully considered but they are not persuasive.

2. In respond to applicant's argument, page 9 of the remarks, that Kato needs to click the "voice recognition" to transmit the voice-recognition input message. Applicant argues against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Examiner only relies on Kato for the teaching of compiling a message using voice recognition that interprets and displays on screen a series of single characters inputted by voice of a user to express a phrase or sentence and an Exclamation Point to end the message (see figs. 13 and 14; col. 13, lines 17-26). Examiner then relies on Levine for the teaching of interpreting a single word or multiple-word to express a command to establish a call by voice recognition dialing (see col. 5, line 27 to col. 6, line 22). Therefore, once combined, Kato and Levine teach all limitations of independent claims 1,7,13, and 19 and newly added independent claims 34 and 43.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7,9-13,15-19,21-24,34-37,43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato (US 6,263,202) in view of Levine (US 6,972,082).

Regarding claim 1, Kato teaches a system for data entry in a wireless communication device (See figure 5), the system comprising: an audio-input device to receive audio-data (Figure 5, item 40); a voice-recognition engine (figure 5, item 50) to receive and analyze the audio-data, wherein the voice-recognition engine is configured to interpret the audio-data as matching a selected one of a set of alphanumeric characters to use in conjunction with the operation of the wireless communication device (col. 4, lines 55-67; col. 5, lines 1-4; figure 2, items 12 and 14); and a memory to store the selected alphanumeric character for subsequent use in conjunction with the operation of the wireless communication device (figure 5, item 54, 50 and 42). However, Kato fails to teach interpreting the audio-data as matching a selected one of a set of commands, the set of commands comprising at least one command for configuring the voice-recognition engine in interpreting the audio-data; and a processor to execute the command. Levine, in an analogous art, teaches personal assistant system equipped with voice recognition

engine to interpret audio input such as audio commands and execute the commands (see col. 4, line 61 to col. 6, line 22). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the above teaching of Levine to Kato in order for the combined system to allow entry of commands by voice as taught by Levine. It is also well known in the art that all of the commands are executed by a processor of the system.

Regarding claims 3,35,44 the combination of the teachings of Kato and Levine teaches that the system of claims 1, 34, 43 further comprising a transmitter to transmit the selected alphanumeric character to a remote location (Reference Kato, figure 2, item 14 and 1205).

Regarding claims 4, and 36, the combination of the teachings of Kato and Levine teaches that the system of claims 1, and 34 wherein the memory (Reference Kato, figure 5, item 54; col. 6, lines 47-48) stores a plurality of selected alphanumeric characters, the plurality of selected alphanumeric characters comprising at least a portion of an electronic message, the system further comprising a transmitter to transmit the electronic message to a remote location (Reference Kato, col. 4, lines 55-67; col. 5, lines 1-4; figure 2, items 12 and 14).

Regarding claims 5,37,and 45 the combination of the teachings of Kato and Levine teaches that the system of claims 4, 36, and44 wherein the electronic message is

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compatible with a short-messaging-service protocol (Reference Kato, figure 2, the Electronic Mail Transmission 1023).

Regarding claims 6 and 18, the combination of the teachings of Kato and Levine teaches a system wherein the voice-recognition engine is configured to interpret the audio-data as matching a selected one of a set of commands (Reference Levine, col. 4, line 61 to col. 6, line 22) to process the electronic message (Reference Kato, col. 4, lines 55-60), the system further comprising a processor to execute the selected command (Reference Ho, figure 2, item 214).

Regarding claim 7, the combination of the teachings of Kato and Levine teaches system comprising:

a system for storing addresses in a wireless communication device (Reference Kato, see figure 5), the system comprising: an audio-input device to receive audio-data (Reference Kato, Figure 5, item 40); a voice-recognition engine to receive and analyze the audio-data, wherein the voice-recognition engine is configured to interpret the audio-data as matching a selected one of a set of alphanumeric characters (Reference Kato, col. 4, lines 55-67; col. 5, lines 1-4), a processor to associate an address-identifier with a plurality of selected alphanumeric characters (reference Levine, col. 4, line 61 to col. 6, line 22); and a memory to store the plurality of selected alphanumeric characters in association with the associated address-identifier wherein the voice-recognition engine is further configured to interpret the audio-data as matching a selected one of a set of

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commands to process the plurality of selected alphanumeric characters and the associated address-identifier, the processor executing the selected command (reference Levine, col. 4, line 61 to col. 6, line 22).

Regarding claims 9 and 21, the combination of the teachings of Kato and Levine teaches that the system of claim 7 wherein the plurality of selected alphanumeric characters associated with the address-identifier represents at least part of a destination telephone number (Reference Levine, col. 4, line 61 to col. 6, line 22).

Regarding claims 10 and 22, the combination of the teachings of Kato and Levine teaches that the system of claim 7 wherein the plurality of selected alphanumeric characters associated with the address-identifier represents at least part of an electronic address (Reference Levine, col. 4, line 61 to col. 6, line 22).

Regarding claims 12 and 24, the combination of the teachings of Kato and Levine teaches that the system of claim 7 wherein the voice-recognition engine is further configured to interpret the audio-data as the address-identifier (Reference Levine, col. 4, line 61 to col. 6, line 22).

Regarding claim 13, the claim has the same limitations as that of claim 1, and therefore is interpreted and rejected for the same reason set forth in the rejection of claim 1.

Regarding claim 15, the combination of the teachings of Kato and Levine teaches that the method of claim 13, further comprising transmitting the selected alphanumeric character to a remote location (Reference Kato, figure 2, item 14 and 1205).

Regarding claim 16, the combination of the teachings of Kato and Levine teaches that the method of claim 13, further comprising storing a plurality of selected alphanumeric characters (reference Kato, figure 5, item 54; col. 6, lines 47-48), the plurality of selected alphanumeric characters comprising at least a portion of an electronic message, and transmitting the electronic message to a remote location (reference Kato, col. 4, lines 55-67; col. 5, lines 1-4; figure 2, items 12 and 14).

Regarding claim 17, the combination of the teachings of Kato and Levine teaches that the method of claim 16 wherein the message is compatible with a short-messaging-service protocol (reference Kato, figure 2, the Electronic Mail Transmission 1023).

Regarding claims 19,34,43, the claims include the limitations as that of claims 1, 7, and 13, therefore is interpreted and rejected for the same reason set forth in the rejections of claims 1, 7, and 13.

Regarding claims 11 and 23, the combination of the teachings of Kato and Levine teaches the plurality of selected alphanumeric characters associated with the address-

identifier represents at least part of a street address (see Levine, col. 5, lines 4-10; col. 5, lines 60-67).

3. Claims 25,27,28,30,31,33,39,41,42,46,48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato (US 6,263,202) in view of Levine (US 6,972,082) and further in view of Tsai (US 5,838,458).

Regarding claim 25, the combination of Kato and Levine, as mentioned above, teaches the limitations of claim 1, but does not disclose that the single word or multiple word audio-data matches a selected one of the group of special characters consisting of !, @, #, \$, or %. This limitation is taught by Tsai in an analogous art (see fig. 77; col. 50, line 50 to col. 51, line 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the above teaching of Tsai to Kato and Levine in order void triple-digit encoding in inputting alphanumeric characters regarding entering an e-mail address as taught by Tsai.

Regarding claims 27,28,30,31,33,39,41,42,46,48, the claims includes the same limitations as that of claim 25, and therefore are interpreted and rejected for the same reason set forth in the rejection of claim 25.

Regarding claim 42, the combination of Kato, Levine and Tsai teaches a keypad for manual data entry, wherein each key of said keypad corresponds to a plurality of alphanumeric characters (see fig. 77 of Tsai).

Allowable Subject Matter

4. Claims 26,29,32,40,47 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 26,29,32,40,47, the combination of Kato, Levine teaches the limitations of claims 1,13,19,34, and 43 respectively, but fails to disclose the multiple word audio-data is in the form of "Capital X," wherein "X" represents one of the group of alphabetical letters from A to Z as specified in the claim.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH D. DAO whose telephone number is 571-272-7851. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW ANDERSON can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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